

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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STEVEN SCHMALZ, Individually, and On	:
Behalf of All Others Similarly Situated,	:
	:
Plaintiff,	:
	:
v.	:
	:
MBIA INC., GARY C. DUNTON and C.	:
EDWARD CHAPLIN,	:
	:
Defendants.	:
	:
-----	X

(Additional Captions on the Following Page)

**MOTION OF THE PLYMOUTH COUNTY RETIREMENT SYSTEM FOR
CONSOLIDATION, APPOINTMENT AS LEAD PLAINTIFF, AND APPROVAL OF
SELECTION OF LEAD COUNSEL**

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TEAMSTERS LOCAL 807 LABOR
MANAGEMENT PENSION FUND,
Individually, and On Behalf of All Others
Similarly Situated,

Plaintiff,

v.

MBIA INC., GARY C. DUNTON, C.
EDWARD CHAPLIN and JOSEPH W.
BROWN,

Defendants.
----- X

GARY KOSSEFF, Individually, and On Behalf
of All Others Similarly Situated,

Plaintiff,

v.

MBIA INC., GARY C. DUNTON and C.
EDWARD CHAPLIN,

Defendants.
----- X

Electronically Filed

Civil Action No.: 1:08-cv-01845-UA
(ECF Case)

Electronically Filed

Civil Action No.: 7:08-cv-02362-UA
(ECF Case)

PLEASE TAKE NOTICE that class member the Plymouth County Retirement System (“Plymouth County”) by its counsel, hereby move this Court for an Order: (i) consolidating the actions; (ii) appointing Plymouth County as Lead Plaintiff; (iii) approving Plymouth County’s selection of Labaton Sucharow LLP to serve as Lead Counsel; and (iv) granting such other and further relief as the Court may deem just and proper. In support of this motion, Plymouth County submits herewith a Memorandum of Law and Declaration of Alan I. Ellman.

Dated: March 11, 2008

Respectfully submitted,

LABATON SUCHAROW LLP

By: /s/ Alan I. Ellman
Christopher J. Keller (CK-2347)
Andrei V. Rado (AR-3724)
Alan I. Ellman (AE-7347)
140 Broadway
New York, New York 10005
Telephone: (212) 907-0700
Facsimile: (212) 818-0477

*Attorneys for the Plymouth County Retirement
System and Proposed Lead Counsel for the Class*